

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

JOEL B. ATTIA

PLAINTIFF

v.

Civil No. 1:21-cv-178-HSO-RHWR

CHRISTOPHER WRAY, et al.

DEFENDANTS

**ORDER ADOPTING MAGISTRATE JUDGE’S REPORT AND
RECOMMENDATION [6] AND DISMISSING CASE WITH PREJUDICE**

BEFORE THE COURT is United States Magistrate Judge Robert H. Walker’s Report and Recommendation [6], which recommends this civil action be dismissed. R. & R. [6] at 2. After due consideration of the Report and Recommendation [6], the record, and relevant legal authority, the Court finds that the Magistrate Judge’s Report and Recommendation [6] should be adopted as the finding of this Court, and that Plaintiff Joel B. Attia’s claims should be dismissed with prejudice.

I. BACKGROUND

A. Factual background

On May 25, 2021, pro se Plaintiff Joel B. Attia (“Plaintiff” or “Attia”) filed a Complaint [1] against President Biden, Tommy Dutton, Darlene MacLamore Elhers, FBI Government, Steve Havard, David Jackson, Jerome Lorraine, Jerry

Minchew, Randy Neil, Paul Really, Delilah Sayer, Delilah Sayre, Tommy Stringfellow, and Christopher Wray, alleging that Nvidia patented a weapon, which has been placed in cameras or lightbulbs all over the world and in unidentified people's houses, that emits low frequencies and thereby causes Plaintiff harm. Compl. [1] at 8-9. Plaintiff claims that such a device was implanted inside his body, *id.*, and he seeks \$25 trillion in damages, *id.* at 6.

B. Procedural history

Attia filed a Motion [2] for Leave to Proceed in forma pauperis, which was provisionally granted. Order [3]. The Court ordered that Plaintiff, before July 6, 2021, "file an amended complaint which demonstrates why his claims should not be dismissed for lack of subject-matter jurisdiction, failure to state a claim, and as factually frivolous," but to date he has not complied with the Court's Order [3]. *Id.* at 13. Plaintiff has brought similarly strange and outrageous lawsuits in this Court in the past. *See Attia v. Jackson, et al.*, Civil Action No. 1:20-cv-211-LG-RPM; *Attia v. Nvidia Corp., et al.*, Civil Action No. 1:20-cv-343-HSO-JCG; *Attia 2 v. Martin, et al.*, Civil Action No. 1:21-cv-90-LG-JCG; *Attia v. Wray*, Civil Action No. 1:21-cv159-RPM; *Attia v. Huang*, Civil Action No. 1:21-cv-179-TBM-RPM. In fact, Plaintiff has been banned from filing any future lawsuits without prior approval of the Court. *See Attia v. Martin, et al.*, Civil Action No. 1:21-cv-90-LG-JCG.

On May 16, 2022, United States Magistrate Judge Robert H. Walker entered a Report and Recommendation [6] recommending that Attia's Complaint [1] be dismissed as frivolous and delusional under 28 U.S.C. § 1915(e)(2). *See R. & R.* [6].

Alternatively, Judge Walker recommended that Attia's Complaint [1] be dismissed for failure to obey a Court order, because Attia did not comply with the Court's Order [3] to file an amended complaint and show cause. Attia has not filed an objection to the Report and Recommendation [6], and the time for doing so has passed. *See id.* at 3.

II. DISCUSSION

Where no party has objected to a magistrate judge's report and recommendation, the Court need not conduct a de novo review of it. 28 U.S.C. § 636(b)(1) ("A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made."). In such cases, the Court applies the "clearly erroneous, abuse of discretion and contrary to law" standard of review. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989).

Having conducted the required review, the Court concludes that the Report and Recommendation [6] is neither clearly erroneous nor contrary to law. The Court will adopt the Magistrate Judge's Report and Recommendation [6] as the opinion of this Court. As such, Attia's Complaint [1] should be dismissed with prejudice as frivolous and for failure to obey a Court order.

III. CONCLUSION

IT IS, THEREFORE, ORDERED AND ADJUDGED that, the Report and Recommendation [6] of United States Magistrate Judge Robert H. Walker entered

in this case on May 16, 2022, is **ADOPTED** in its entirety as the finding of this Court.

IT IS, FURTHER, ORDERED AND ADJUDGED that, this civil action is **DISMISSED WITH PREJUDICE** as frivolous and for failure to follow a Court order. A separate judgment will be entered in accordance with this Order as required by Federal Rule of Civil Procedure 58.

SO ORDERED AND ADJUDGED, this the 23rd day of June, 2022.

s/ Halil Suleyman Ozerden

HALIL SULEYMAN OZERDEN
UNITED STATES DISTRICT JUDGE